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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

* * * * *

10 **UNITED STATES OF AMERICA,**)

11 **Plaintiff,**)

12 **v.**)

13 **BERK ERATAY,**)

14 **Defendant,**)

CASE NO. 2:22-mj-00433-VCF

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EXHIBIT 1

DECLARATION OF HALIS KAYA

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I, HALIS KAYA, hereby declare under penalty of perjury as follows:

1. I am over the age of 18 years old and am competent to testify if called upon as a witness in this matter. I have personal knowledge of the facts set forth in this Declaration.
2. I have been friends with Berk Eratay for approximately 9 years. I met Mr. Eratay at a Turkish restaurant in Las Vegas and we quickly became great friends. It is my understanding that he has lived in Las Vegas for approximately 11 years.
3. I am from Turkey, however, I have a United States permanent resident green card and am in the final process of becoming a United States citizen. My wife is a United States citizen and we have been married since 2014.
4. I operate a business with Mr. Eratay, called "Pizza Place" which is located at 3231 N. Decatur, Ste 104, Las Vegas, Nevada 89130,. We have been in business since approximately January 2020.
5. Just prior to his arrest, Mr. Eratay and I were working on a program for eating type contests in Las Vegas to broadcast on Youtube. He is valuable part of the business and also assists in technology and marketing. Prior to his arrest, we would see each other every day. I also stay at his residence several days per week as we are working on our business together.
6. Mr. Eratay is a hard worker and dedicated to his career, businesses, and education. He has a Master's Degree, and also operates other technology businesses.
7. Mr. Eratay is a loving and supportive friend. I have never seen him be violent with anyone in any way. He is always respectful and calm. I am very blessed to have Mr. Eratay as my friend and business partner. Mr. Eratay also has a loving relationship with his family and they communicate on a frequent basis.
8. Mr. Eratay owns his own home in Las Vegas, Nevada, and he has always expressed to me that he does not want to relocate from Las Vegas, as he loves the community.
9. I have never witnessed Mr. Eratay use any illegal drug. I have only witnessed him drink alcohol on very rare occasions.
10. Mr. Eratay also has other friends in Las Vegas, including members of the Turkish community. He helps others on a regular basis, including, but not limited to, trying to help others find employment. I look up to Mr. Eratay and he is a valuable member of our community.

11. I am willing to act as the Third Party Custodian over Mr. Eratay. I would also be willing to live in Mr. Eratay's residence full-time as part of my duties as a Third Party Custodian. My wife is supportive of this request.
12. I have read the Form AO199B which I understand I would have to sign in order to act as a third party custodian over Mr. Eratay. I agree to act as a third party custodian over Mr. Eratay. I understand that I will be responsible to report to the Court or to Pretrial Services anytime that I have knowledge of Mr. Eratay violating his conditions of release and that if I fail to report any such violation I could be held in contempt of court.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 27 day of May, 2022.



HALIS KAYA